

APR 13 2007

MARY L.M. MORAN
CLERK OF COURT

DISTRICT COURT OF GUAM
TERRITORY OF GUAM

In re:

GENERAL ORDER No. 07-0007

ADOPTION OF STYLE GUIDE FOR
ELECTRONIC CASE FILING

Pursuant to Fed. R. Civ. P. 5(e), Fed. R. Crim. P. 49(d), Local Rules GR 5.1, and LBR 5005-1,

IT IS HEREBY ORDERED:

1. The Court adopts the attached "Style Guide for Electronic Case Filing" effective May 1, 2007.
2. The Court adopts the attached and amended "Administrative Procedures For the Electronic Filing, Signing, Verifying, and Serving of Civil and Criminal Documents" effective May 1, 2007.
3. The Court adopts the attached and amended "Administrative Procedures For the Electronic Filing, Signing, Verifying, and Serving of Bankruptcy Documents" effective May 1, 2007.
4. Effective May 1, 2007, paper case files will no longer be available to the public. Case documents may be viewed and downloaded from the internet on the Court's public access system ("PACER") at the current electronic public access rates, or viewed at no charge from one of the four public terminals located in the Clerk's Office. Certified copies of documents will continue to be available for a fee of \$.10 per page if document is available on line, otherwise \$.50 if document is retrieved from case file, plus a certification fee of \$9.00 in the

1 Clerk's Office. Please note that these charges are subject to change. In addition, case
2 documents may still be filed in paper form over the counter

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4 SO ORDERED this 13th day of April, 2007.

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8 FRANCES M. TYDINGCO-GATEWOOD
9 Chief Judge
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Style Guide for Electronic Case Filing



District Court of Guam

March 28, 2007

Table of Contents

INTRODUCTION.....	3
ADDING PARTIES.....	4
SEARCHING FOR PARTIES.....	5
ADDING DEBTORS	7
ADDING PLAINTIFFS AND DEFENDANTS.....	8
ADDING CREDITORS.....	9
STYLE CONVENTIONS FOR NAMES.....	10
STYLE CONVENTIONS FOR ADDRESSES.....	12
CREDITOR MATRIX SPECIFICATIONS	14
PDF FILE SPECIFICATIONS	15
DOCUMENT SPECIFICATIONS FOR ORDERS.....	17
STATES AND TERRITORIES.....	18
GEOGRAPHIC DIRECTIONS	19
STREET DESIGNATORS.....	20
STYLE CONVENTIONS FOR DOCKET TEXT	21
PAPER DOCUMENT SPECIFICATIONS	22

INTRODUCTION

This guide contains the preferred style practices for all users of the CM/ECF application in the District of Guam. The purpose of this guide is to make everyone's task easier, whether they are entering data or searching the CM/ECF database. The use of a common set of styles when creating docket entries results in information being captured and displayed in more uniform and predictable ways. In addition, style consistency is the key to efficient searches in CM/ECF, since successful queries require very exact matches on search data including punctuation, abbreviations and upper or lower case.

ADDING PARTIES

When adding new parties to the CM/ECF Database, the names should conform with standard punctuation and spacing conventions listed in the *Style Conventions for Names* section of this guide. Much of case opening in CM/ECF consists of adding the names of debtors, joint debtors, plaintiffs, and defendants to cases. As cases progress, creditors and other parties are added. Access to this information is vital to the court, the bar, and the general public.

The following list of special characters should **NOT** be used when adding **creditors, parties, aliases, and/or attorneys**.

<u>Character</u>	<u>Description</u>	<u>Substitution</u>
~	tilde	omit
!	exclamation	omit
@	at	use the word <i>at</i> or omit
#	pound sign	use the abbreviation <i>No.</i>
\$	dollar sign	use the word <i>Dollar</i> or omit
%	percent sign, In Care Of	if percent sign, omit; if In Care Of use <i>CO</i>
^	carat	omit
&	ampersand	use the word <i>and</i>
*	asterisk	omit
(open parenthesis	use a dash, or omit
)	close parenthesis	omit
_	underline	omit
+	plus	use the word <i>plus</i> or omit
<	less than	omit
>	greater than	omit
/	forward slash	use a dash
\	back slash	omit
{	open brace	omit
}	close brace	omit
	pipe sign	omit
?	question mark	omit

SEARCHING FOR PARTIES

First, search the CM/ECF database for the party you want to add to a case.

Before adding any party to a case, search for that party using appropriate "search strategies". If the system finds the correct name, select it to help eliminate different versions of the same party name. Even something as simple as "United States" can cause ambiguity if it is entered in different forms. Following this style guide can help avoid "United States" being represented in the database in different ways, e.g. "UNITED STATES", "U.S.", "US", "USA", "U.S.A.", or "U.S. of A.".

Search Strategies

CM/ECF searches are not key word searches but require exact text matches.

- When searching for debtors, the more search clues you provide, the more likely you are to find the exact party you are searching for. For example, if you search for a last name of Grant, CM/ECF may return a list of a hundred parties with that last name. However, CM/ECF will return a single party, or indicate there is no match for that criteria, if you search for a last name of Grant with a Social Security number of 333-22-1111.

Guidelines for Names & Searches

- When searching for creditors, it may be necessary to conduct multiple searches. First, search for the entire creditor name (e.g., World Communications). If that is not successful, you can search for part of the creditor's name (e.g., World Comm or just World). If there are articles in the title such as "A" or "The," you may or may not need to include the article in the search. For example, a search request for The Timely Times may not produce a result. But a search request for Timely Times will be successful.
- When searching for a Party **DO NOT** use an asterisk (*) in the search criteria as follows:

Villa*

Use of the asterisk slows down the entire system. When searching for Villareal, the name will be found without using the asterisk as follows:

Villa

Bottom line: **DO NOT USE ASTERISK IN SEARCH CRITERIA.**

- An unsuccessful search for A. & A. Metals might be successful if you search without punctuation (i.e., A and A Metals).

NOTE: If the party is not found, ensure the party is involved in a District of Guam bankruptcy case. Logging into the District Court of Guam's CM/ECF application only provides case information regarding cases filed in this District.

ADDING DEBTORS

Add debtors to cases using names and addresses exactly as they appear on the petition or complaint.

In most cases, you will **NOT** find debtors or joint debtors when you search the CM/ECF database. You will have to add them to the database and the case as a new party.

If a debtor has a title, add the title in the "party text" box.

Any title that you add as party text will show up on the face of the docket report following the name and separated by a comma.

Title Tips

1. The name of the debtor without the title will appear in docket text.
2. Titles will not appear on notices.
3. Titles will appear on the face of the docket report in upper and lower case following the debtor name as shown below:

Jose Cruz, Administrator of the Estate of Sylvia Garza

ABC Rental, a Guam Corporation

Catherine V. Ruiz, Official Administrator of Lottery Winnings

Make an entry in the SSN box or the Tax ID box even if the social security number for an individual debtor or tax identification number for a business debtor is unknown.

SSN: 000-00-0000

Tax ID: 00-0000000

ADDING PLAINTIFFS AND DEFENDANTS

Add plaintiffs and defendants to cases using names exactly as they appear on the complaint.

When you search for plaintiffs and defendants, you will probably find them in the database.

- Do **NOT** add any addresses for plaintiffs or defendants.
- Do **NOT** add a title for plaintiffs or defendants.

Make sure to select the plaintiff or defendant party role. If you find a plaintiff or defendant in CM/ECF with an address, delete the address fields before accepting the Party information screen.

ADDING CREDITORS

Add creditors to cases using names already in the CM/ECF database if at all possible.

When you search for a creditor, you will probably find the party in the CM/ECF database. Creditors (such as Ford Motor Credit) are added to many different cases. Ideally, there should be only one Ford Motor Credit party in the CM/ECF database. This greatly simplifies searching when adding parties and querying cases. For instance, it is better to add Ford Motor Credit to all cases even if that is not the exact name used on a document being docketed. The idea is to avoid adding name variations for a single creditor. For example:

- Ford Motor Credit
- Ford Motor Credit Company
- Ford Motor Credit Co.
- Ford Motor Credit Corporation
- Ford Motor Credit Company, Inc.
- Ford Motor Company
- Ford Motor Credit Corp.
- Ford Motors Credit Company
- Ford Motor Credit Company ("FMCC")

The correct name is **Ford Motor Credit**.

The proliferation of different names for the same creditor makes searching frustrating and time consuming.

Do NOT add mailing addresses for creditors.

If you find a creditor in CM/ECF with an address, delete the address fields before accepting the Party Information screen.

Do NOT add a title for creditors. Make sure to select the creditor party role.

STYLE CONVENTIONS FOR NAMES

These style conventions apply to all names entered in the CM/ECF application.

Use upper and lower case for all names and capitalize the first letter in a proper noun.

Wallace D. Smith

United Services Fidelity and Guaranty

Use punctuation and single spacing between all names and following initials, commas, and periods.

J. J. Jones

Smith, Inc.

C. W. Bradford, Ltd.

When typing names that have upper and lower case letters or hyphens, do not insert spaces.

Patricia DeLaGarza

Patrick MacDougal

Kathleen O'Brien

Mary Smith-Baker

If an individual does not have a middle name, leave that field blank. Do not enter "NMI" (no middle initial).

If a party has multiple names such as Robert Kramer Johns Martin, add the extra names in the Middle Name box.

Last name: Martin

Middle name: Kramer Johns

First name: Robert

Business names should be entered entirely in the Last Name box. Do not use the First Name or Middle Name box when entering business names.

Do not use the ampersand sign (&) for "and". Use the word “and” instead of the ampersand. For example, use “A and A Metals” instead of “A & A Metals”.

Avoid abbreviations unless they are part of a company name on the petition or pleading.

Ford Motor Company instead of Ford Motor Co.

First Federal Association instead of 1st Federal Assoc.

Enter U.S. and U.S.A. without any spaces.

U.S. Department of Agriculture

U.S. Trustee

U.S. Attorney

U.S. Environmental Protection Agency

U.S. Nuclear Regulatory Commission

STYLE CONVENTIONS FOR ADDRESSES

These style conventions apply to all debtor addresses and creditor matrix addresses entered in the CM/ECF application.

Abbreviate post office addresses without a space between the P and O.

- P.O. Box 1359
- P.O. Drawer 34321

Use digits for numbers in addresses.

- 3224 East 26th Street
- 425 6th Street
- 1 Valley Plaza

When there is a street address as well as a post office box address for a debtor, add only the post office address.

John J. Johnson
P. O. Box 1477
4218 Elmwood Lane (Eliminate this line)
Hagatna, GU 96912

When needed, use the second and/or third line of the address for building name, suite number, floor, firm name, or attention.

Arthur Andersen and Associates
Attention: Terri Brooks
John Hancock Building, Suite 2600
8723 Michigan Avenue
Chicago, IL 60604

The city, state, and zip code must be the only information on the last address line.

Use the full ten digit zip code if at all possible. For example, “96910-1234”

Foreign addresses must have the full name of the post office and country of destination printed in capital letters. The country name and country code or APO destination and zip code must be the only information on the bottom line of the address.

Alfonso Diaz
Rio de Danubec y Rio Florido
CD. JUAREZ, CHIHUAHUA
MEXICO No.1050

Sgt. John Smith
C Company 237 Armor
Unit No. 21103, Box 512
APO AE 09014

If the address contains an apartment number or suite number, you may use *No.* in place of the word number or suite.

Barbara Bixby
322 West Shady Lane, No. 334
Dallas, TX 75242

Use *CO* to indicate "In Care Of".

John Joseph, Jr.
CO John Joseph, Sr.
6612 East 10th Street
Ft. Worth, TX 76102

The preferred format for telephone numbers is 671-472-3851.

CREDITOR MATRIX SPECIFICATIONS

- Each creditor matrix must be provided to the court as an ASCII text (*.txt) file.
- In each ASCII text file:
 - Each creditor must be separated by at least one blank line.
 - Do not include page numbers, headers, footers, etc.
 - All entries should conform to the style specifications in the Style Guide.
 - The name and address of each creditor must be five (5) lines or less.
 - Each line may contain no more than 40 characters including spaces.
 - Names and addresses should be left justified (flush against the left margin, no leading spaces.)
 - "Attention" lines should be placed on the second line of the name/address.
 - City, state, and ZIP code must be on the last line.
 - There must be a comma placed immediately after the city name.
 - All states, U.S. territories and commonwealths must be two-letter abbreviations.
 - All foreign addresses must have the full name of the post office and country of destination printed in capital letters.
 - Nine-digit ZIP codes must be typed with a hyphen separating the two groups of digits.

PDF FILE SPECIFICATIONS

All files associated with a docket entry in CM/ECF should be in Adobe Portable Document Format (PDF). Any secondary attachments, such as exhibits, should also be submitted to the system as a PDF according to the following guidelines.

The only files submitted in a format other than PDF are proposed orders and the Creditor Matrix. The Creditor Matrix should be submitted in ASCII text format (.txt). Proposed Orders should be submitted in WordPerfect (.wpd) or Word (.doc) format.

All pleadings submitted to the CM/ECF system as a PDF should be styled and formatted just as if you were going to print the document and file it with the Court in paper form.

Here are some general guidelines to follow when creating documents to be submitted in CM/ECF.

1. Margins (top, bottom, left, right) should be at least one (1) inch.
2. Page size should be 8.5" x 11".
3. Use a font style that is legible. The preferred font style is Times New Roman.
4. The font color of the text should be black. Avoid using colored fonts such as red, yellow, green, or blue. No shading. Again, you want the text to be legible.
5. The font size should be 12.
6. **Do NOT** include .jpg, .tif, .bmp, or .gif images in your PDF file.
7. All pages in PDF files that were created from scanned paper documents should be numbered. The preferred format is 1 of 3, 2 of 3, etc.
8. **DO NOT USE BAR CODES** on any pages.
9. When filing a new case, the Petition, Schedules, Summary of Schedules (if filed simultaneously), Statement of Financial Affairs, and Verification of Mailing Matrix should be included in a "primary" PDF document in that order. These should not be docketed separately. The Creditor Matrix Text file will be uploaded separately by court personnel, but should be included as part of the PDF file. The Plan and Authorization for Pre-confirmation Disbursement should be docketed separately.
10. The file size of the PDF should be no larger than **2 Megabytes (approximately 40 pages)**. The Court recommends a resolution of 200dpi to 300dpi when creating the PDF to reduce submitting unnecessarily large PDF files to the CM/ECF system.
11. Print the Word or WordPerfect file using the PDF Writer print driver rather than using the functionality provided in the word processor. The PDF Writer creates a smaller file to upload.
12. Electronically filed documents may contain the following types of hyperlinks:
 - a.. Hyperlinks to other portions of the same document; and
 - b. Hyperlinks to a location on the Internet that contains a source document for a citation.

Hyperlinks to other documents filed within the CM/ECF system are not permitted. Hyperlinks to cited authority may not replace standard citation format. Complete citations must be included in the text of the filed document.

DOCUMENT SPECIFICATIONS FOR ORDERS

Follow the guidelines listed below when preparing and submitting an order via email to chambers@gud.uscourts.gov.

1. Format and Title Page guidelines specified in the [Paper Document Specifications](#) section of this style guide shall apply to Orders.
2. The **FIRST** page of orders submitted electronically through CM/ECF should contain **3 inches of space at the TOP** of the document.
3. Use a font that is legible. The preferred font style is Times New Roman.
4. The font color of the text should be black. Avoid using colored fonts such as red, yellow, green, or blue. Again, you want the text to be legible.
5. The font size should be 12.
6. All pages should be numbered. The preferred page numbering format is 1 of 10, 2 of 10, 3 of 10, and so on.
7. If you are submitting an order electronically to chambers@gud.uscourts.gov, you should submit the document in **WordPerfect**, or **Word** format. **Documents in PDF format will not be accepted by the system.**
8. Each signature party should be represented with a /s/ followed by the typed name of the party.
9. **DO NOT** provide a signature line for the judge.
10. If you have an exhibit with your order, e-mail a copy in PDF format to chambers@gud.uscourts.gov. **DO NOT** file the exhibit in CM/ECF until after the order has been entered.

STATES AND TERRITORIES

AL	Alabama	MO	Missouri
AK	Alaska	MT	Montana
AZ	Arizona	NE	Nebraska
AR	Arkansas	NV	Nevada
AS	American Samoa	NH	New Hampshire
CA	California	NJ	New Jersey
CO	Colorado	NM	New Mexico
CT	Connecticut	NY	New York
DE	Delaware	NC	North Carolina
DC	District of Columbia	ND	North Dakota
FL	Florida	CM	N. Mariana Isl.
GA	Georgia	OH	Ohio
GU	Guam	OK	Oklahoma
HI	Hawaii	OR	Oregon
ID	Idaho	TT	PALAU
IL	Illinois	PA	Pennsylvania
IN	Indiana	PR	Puerto Rico
IA	Iowa	RI	Rhode Island
KS	Kansas	SC	South Carolina
KY	Kentucky	SD	South Dakota
LA	Louisiana	TN	Tennessee
ME	Maine	TX	Texas
TT	MARSHALL ISLAND	UT	Utah
MD	Maryland	VT	Vermont
MA	Massachusetts	VA	Virginia
MX	MEXICO	VI	Virgin Islands
MI	Michigan	WA	Washington
TT	FEDERATED STATES OF MICRONESIA	WV	West Virginia
MS	Mississippi	WI	Wisconsin
		WY	Wyoming

GEOGRAPHIC DIRECTIONS

Use the following abbreviations for geographic directions.

North = N.

Northeast = N.E.

South = S.

Southwest = S.W.

East = E.

Southeast = S.E.

West = W.

Northwest = N.W.

STREET DESIGNATORS

In general, it is best to type out the entire name of the street designator. If there is a necessity to abbreviate, use the following abbreviations.

Avenue	Ave.
Boulevard	Bld.
Highway	Hwy.
Interstate Highway	I.H.
Lane	Ln.
Street	St.
Road	Rd.

STYLE CONVENTIONS FOR DOCKET TEXT

The CM/ECF application has been designed to produce a consistent form of docket text. Most of the time you will not need to change docket text in any way when you are creating docket entries. If you must alter docket text to add meaning or clarification to the court record, use the preferred practices to enhance docket text contained in the *Negative Notice Language*, *Contested Matter Text*, *Descriptions of Linked Documents*, and/or *Multiple-Part Contested Matter Text* sections of this guide.

Negative Notice Language

Users will not need to add objection language to motions filed in CM/ECF. The system automatically sets a deadline for objections depending on the motion filed. The system allows you to change the objection date to a later date if you desire. The court has identified those motions which may be filed with negative language. The final docket text will display if an objection is due, and the deadline for objections. For these motions, a hearing will only be held if an objection is filed.

NOTE: It is still necessary to add objection language to the imaged pleading you are filing if applicable.

Contested Matter Text

Docket text should reflect the style of a contested matter as much as practically possible. Sometimes the CM/ECF event you use to docket a contested matter will display a text box for you to further describe the pleading you are filing. There is more than enough room in the displayed text boxes to add any text you feel is necessary. You are able to review whatever docket text you add before you accept the final docket entry. You can go back by clicking the browser [Back] button to add or correct text.

Descriptions of Linked Documents

If a docket entry has been linked to another docket entry, the document "linked to" should be adequately described in docket text. When you docket an entry which references ("links to") another docket entry, the docket text automatically displays the description of the document that has been referenced.

Multiple-Part Contested Matter Text

Docket text for contested matters with more than one cause of action should reflect the style of each cause of action as much as practically possible. Depending on the CM/ECF events you use to docket a multi-part contested matter, CM/ECF will display one or more text boxes for you to further describe the pleading you are filing.

PAPER DOCUMENT SPECIFICATIONS

The title of the Court shall be centered and commence not less than three inches from the top of the page.

1. Margins (top, bottom, left, right) should be at least one (1) inch.
2. Paper should be white, size 8 ½" x 11". Use standard paper stock.
3. Use a font that is legible. The preferred font style is Times New Roman.
4. The font color of the text should be black. Avoid using colored fonts such as red, yellow, green, or blue. No shading is permitted. The text should be legible.
5. The font size should be 12.
6. All pages should be numbered. The preferred page numbering format is 1 of 10, 2 of 10, 3 of 10, etc.
7. **DO NOT USE BAR CODES** on any pages.
8. **DO NOT STAPLE** the documents. Documents may be bound only by binder clips or clamps.
9. **DO NOT HOLE PUNCH** the documents.
10. **DOCUMENTS MAY NOT CONTAIN TABS.**
11. Submit original documents and up to five copies if you wish to receive returned, file stamped copies. If you want a file-stamped copy mailed to you, submit the original document plus 2 copies and a self-addressed stamped envelope.



DISTRICT COURT OF GUAM

Case Management

CM / ECF

Electronic Case Files

***ADMINISTRATIVE PROCEDURES
FOR THE ELECTRONIC FILING, SIGNING,
VERIFYING, AND SERVING OF
CIVIL AND CRIMINAL DOCUMENTS***

rev. April 2, 2007

I. SCOPE OF CM/ECF PROCEDURES

A. Applicability

The provisions of these Administrative Procedures for the filing of documents through the Case Management / Electronic Case Files (“CM/ECF”) system apply in all pending Civil cases (including Admiralty and Tax cases) and Criminal cases in the District Court of Guam. These procedures contain provisions for both the electronic filing of documents through the Internet and the filing of paper documents and their electronic recording and storage by the court.

B. Participation

A person registered as a participant in the CM/ECF system (“ECF User”) may file documents in accordance with these procedures. Non-ECF Users, including pro se parties, shall continue to file documents conventionally by submitting paper documents to the court.

II. CONSEQUENCES OF ELECTRONIC FILING

A. Effectiveness of Electronically Filed Document

The electronic filing of a document consistent with these procedures, together with the transmission of a Notice of Electronic Filing from the court, constitutes the filing of the document for all purposes of the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, and the Local Rules of this court, and constitutes entry of the document on the docket by the Clerk under Fed. R. Civ. P. 5, 58, and 79, and Fed. R. Crim. P. 49 and 55. The official record of all documents is the electronic record of the document as stored by the court.

B. Time of Filing

Filing a document electronically does not alter the filing deadline for that document. Filing must be completed before midnight Chamorro Standard Time (ChST) in order to be considered timely filed that day. The date and time of filing is that stated on the Notice of Electronic Filing from the court. This time stamp is based on the time of the electronic receipt of the document by the court, not by the time of transmission by the ECF User.

C. Virtual Documents

Virtual documents are certain documents (including some orders) which are frequently used by the court and the text of which does not vary from case to case. A virtual document consists entirely of the text contained in the docket entry and is not embodied in any other document or electronic record. The docket entry for a virtual document shall be fully effective despite the absence of a document or electronic record apart from the docket entry.

III. SIGNATURES

A. Filing Party

1. **Use of login and password.** The use of a login and password assigned to an ECF User in the electronic filing of a document shall constitute the ECF User's signature on the document, for purposes of the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, the local rules of this court, and any other purpose for which a signature is required in connection with proceedings before the court.
2. **Signature block.** Electronically filed documents must include the name (preceded by "/s/"), address, and telephone number of the ECF User filing the document.
3. **Authority to sign.** An ECF User may authorize one or more employees or office staff members to use the ECF User's login and password for the electronic filing of a document. No ECF User or other person may knowingly permit or cause to permit an ECF User's login and password to be used by anyone other than an authorized agent of the ECF User, and all ECF Users shall take reasonable precautions to prevent such unauthorized use. The use of the ECF User's login and password, whether authorized or not, constitutes the ECF User's signature on the document for all purposes, including those under Fed. R. Civ. P. 11(a).
4. **Multi-signature Documents**
 - a. **Civil cases.** Documents which must bear original signatures or which require either verification or an unsworn declaration under any rule or statute, shall be filed electronically with originally executed copies maintained by the filer for two (2) years after final resolution of the action, including final disposition of all appeals. The pleading or other document electronically filed shall indicate a signature, e.g., "/s/ Jane Doe".
 - b. **Criminal cases.** Certain documents which must contain original signatures other than those of a participating attorney or which require either verification or an unsworn declaration under any rule or statute, shall be filed in paper and maintained in the Clerk's office.
5. **Virtual documents.** A virtual document that is a court notice or order entered by the court shall be deemed signed by the individual whose name appears as Judge or Clerk.

B. Party Other than Filing Party

A document requiring the signature of a person other than the filing party must contain an image of the other party's signature. An ECF User may satisfy this requirement by attaching to the document a counterpart signature page containing an image of the other party's signature. Seals may be noted by expressions such as "Legal Seal," "L.S.," "Notary Seal," etc., if the seal is not readily apparent in the scanned image of the document. The electronic filing of a document signed by a person other than the ECF User shall be deemed to include the ECF User's representation to the court that, to the best of the ECF User's knowledge, the document is a true and correct copy of the original document bearing such other person's signature. The originally executed document(s) shall be maintained by the filer for two (2) years after the final resolution of the action, including final disposition of all appeals. On request of the Court, the Filing User must provide the original document(s) for review.

IV. ELIGIBILITY, REGISTRATION, TRAINING, PASSWORDS

A. Eligibility

Attorneys admitted to practice before the District Court of Guam, including those admitted *pro hac vice*, attorneys representing the United States of America, and others as the court deems appropriate, may register as ECF Users.

B. Registration

1. **Registration form.** Registration as an ECF User shall be made by using a form prescribed by the clerk. At a minimum, the form will require the registrant's name, address, telephone and fax numbers, e-mail address, and a statement that the attorney has been admitted to practice before this court. The registration form is available at the court's website: www.gud.uscourts.gov. A completed registration form may be delivered in person or by mail to: Clerk, District Court of Guam, 4th Floor, U.S. Courthouse, 520 West Soledad Avenue, Hagatna, Guam 96910.
2. **Registration as consent to receive notice and service electronically.** Submission to the court of a completed and signed registration form by an ECF User shall constitute: (i) consent in writing to receive notice electronically and waiver of any right to receive notice by any other means; and (ii) consent in writing to electronic service, except with regard to service of a summons and complaint under Fed. R. Civ. P. 4, and service of other process as required by Fed. R. Civ. P. 4.1, and waiver of any right to service by any other means. The waiver includes, without

limitation, notice of the entry of an order or judgment under Fed. R. Civ. P. 77(d). The consent and waiver is effective upon activation of the ECF User's login and password in the ECF live database.

C. Training

The court will provide training as necessary to attorneys and staff for participation in the CM/ECF system. Training may be a combination of classroom and online computer based training (CBT). Following registration, an ECF User applicant will be issued a login and temporary password limited to use in the CM/ECF training database (<https://ecf-train.gud.uscourts.gov>). The court may require satisfactory completion of a training program as qualification for CM/ECF participation and issuance of a password for use in the "live" database.

D. Login and Password

1. **Full activation.** After satisfactory completion of training or waiver thereof, a registrant will receive a password for filing documents in the "live" database (<https://ecf.gud.uscourts.gov>).
2. **Use of login and password.** The login and password assigned to an ECF User shall be used exclusively by the registered ECF User and any non-attorney employee or staff member explicitly authorized by the ECF User to use the login and password. The ECF User shall not knowingly permit use of the login and password by any person not so authorized, shall take reasonable steps to prevent such unauthorized use, and shall be fully responsible for all use of the login and password whether authorized or unauthorized. If authorization to use a login and password is withdrawn (e.g., when a staff member leaves employment) or if unauthorized use of a login and password is suspected, the ECF User shall forthwith select and activate a new password for use in the ECF system. The ECF User also shall immediately notify the court's Clerk's Office upon learning of any unauthorized use. Failure to change the password and notify the court under the aforementioned circumstances may result in sanctions against the registered ECF user.
3. **Suspension or cancellation by court.** Upon appropriate notice and for cause shown, the court at any time may suspend or cancel an ECF User's use of a login and password. The court may require that additional training be taken in order to reactivate ECF participation.
4. **Withdrawal.** An ECF User may withdraw from ECF participation by giving notice of not less than 30 days to all parties in matters in which the ECF User is a party or represents a party. Such withdrawal will be deemed to be cancellation of the consent to receive notice and service by electronic means, unless otherwise stated in writing by the withdrawing party.

V. ELECTRONIC FILING PROTOCOLS

A. Format

A document filed electronically must be submitted as a Portable Document Format (“PDF”) file. Such files may be created by using Adobe® Acrobat® software or through certain other software for word processing and scanning of documents. In creating the PDF file, the “Document Security” must be the “No Security” default setting in order for the PDF document to be filed in the CM/ECF system.

B. Size of Documents

Document files must be no larger than 2 megabytes (MB) in size, or approximately 40 pages of text in a standard word processing format, converted into a PDF image. A file containing non-text items such as scanned photographs may be considerably larger, requiring adjustment before electronic transmission is attempted. Transmission of a large document as a single file may not be successful due to security constraints on the length of time taken by an electronic filing. Large-sized documents should be broken down into sections and filed as consecutively numbered attachments.

C. Name of Docket Entry

The ECF User shall select the most appropriate description of the type of document from the docketing event “pick list” presented. The ECF User shall call the Clerk’s Office for assistance if the type of document to be filed does not appear as a selection. The ECF User may add appropriate descriptive text before submitting the final docket text entry.

D. Single Docket Entry

All documents with exhibits and attachments capable of electronic imaging and filing shall be filed together as a single docket entry. Related documents generally signed by the filing individual, such as supporting memoranda, declarations, etc., may be filed separately but, if available for filing at the same time, should be filed as attachments to the underlying document in a single docket entry.

E. Hyperlinks

Electronically filed documents may contain the following types of hyperlinks:

- a. Hyperlinks to other portions of the same document; and
- b. Hyperlinks to a location on the Internet that contains a source document for a citation.

Hyperlinks to other documents filed within the CM/ECF system are not permitted. Hyperlinks to cited authority may not replace standard citation format. Complete citations must be included in the text of the filed document. Neither a hyperlink, nor any site to which it refers, shall be considered part of the record.

F. Correcting Docket Entries

1. **No Changes After Submittal.** Once a document is submitted and becomes part of the case docket, corrections to the docket are made only by the Clerk's Office. The system will not permit the filing party to make changes to the document(s) or docket entry filed in error once the transaction has been accepted.
2. **No Refiling of Incorrect Entries.** A document incorrectly filed in a case may be the result of posting the wrong .pdf file to a docket entry, selecting the wrong document type from the menu, or entering the wrong case number and not catching the error before the transaction is completed. The filing party should not attempt to refile the document.
3. **Contacting the Clerk's Office.** As soon as possible after an error is discovered, the filing party should contact the Clerk's Office with the case number and document number for which the correction is being requested. If appropriate, the court will make an entry indicating that the document was filed in error. The filing party will be advised if the document needs to be refiled.

G. Attachments and Exhibits

1. **Identification of attachments.** Each attachment to a document must be concisely but adequately identified in additional text. E.g.: *Declaration of Jane Doe in Support of Motion*. A large document being broken down to 2 or more smaller sized attachments should clearly identify the sections. E.g.: *Memorandum in Support - Part 1; Memorandum in Support - Part 2*, etc. Documents related to a motion or other pleading which are not available for attachment to the main document may be filed later as a separate document. E.g.: *Declaration of Jane Doe* (relating it to the underlying motion or other pleading).
2. **Compound documents.** As an alternative to attaching separate documents to a main document, a series of related documents may be filed together as a single PDF file, subject to the 2 MB size restriction of the file. E.g.: *Motion with Memorandum in Support and Declaration of Luke Lender*.
3. **Relevant excerpts only.** An exhibit to an electronic filing shall include only excerpts of the referenced document that are directly germane to the matter

under consideration by the court. Excerpted material must be clearly and prominently identified as such. A party filing excerpts of a document under this provision does so without prejudice to the right to file timely additional excerpts or the complete document. A responding party may file timely additional excerpts or the complete document that the party believes to be directly germane to the subject matter.

H. Sealed Documents

A motion to file one or more documents under seal shall be filed conventionally in paper form. Until the court has ruled on any motion to seal, no document that is the subject of a motion to seal, nor the motion itself or any response thereto, will be available electronically or in paper form.

I. Emergency Motions

An emergency motion or other matter requiring expedited attention by the court, such as an application for a temporary restraining order or a motion for a protective order, may be filed electronically in the same manner as other documents. The moving party shall contact the Clerk's Office by telephone at (671) 473-9100 to alert the court to the filing and the emergency nature of the motion.

J. Verification of Document Image

An ECF User shall verify, by checking the link in the Electronic Notice of Filing or by reviewing the docket within 2 business days after the electronic filing, that the image of the document filed is a correct and complete copy of the document intended to be filed. An ECF User shall immediately notify the court of the discovery of an incorrect or incomplete image of a document.

K. Anti-Virus Software

Each ECF User shall utilize updated anti-virus software at all locations from which Internet ECF access is made. The filing party must check all electronic files submitted on disk or transmitted by e-mail to the clerk's office or a judge's chambers for viruses and worms.

VI. SERVICE OF DOCUMENTS BY ELECTRONIC MEANS

A. Consent to Electronic Service

An entity which is not a registered ECF User may consent in writing to electronic service of all documents, except a summons and copy of a complaint, through the CM/ECF system by completing a court-approved consent form available at the court's website. The consent shall apply in all cases in which the consenting entity is a party. Pursuant to Fed. R. Civ. P. 6(e) and Fed. R. Crim. P. 45(c), the three additional days allowed for responding to service by mail shall also apply to electronic service. The entity may withdraw the consent to electronic service by giving notice of not less than 30 days to all parties in matters in which the entity is a party.

B. Notice of Electronic Filing

Electronic transmission of the Notice of Electronic Filing through the court's transmission facilities constitutes service or notice of the filed document to those parties who have consented in writing to accept such service or notice. A paper copy of the Notice of Electronic Filing, together with a paper copy of the electronically filed document, shall be served in accordance with the Federal Rules of Civil and Criminal Procedure and the Local Rules, upon parties not deemed to have consented in writing to electronic service or notice.

VII. SUBMISSION OF PROPOSED ORDERS

A. Orders Requiring Judge's Signature Only

Orders requiring only the judge's signature may be submitted in electronic form, in a standard word processing format, such as WordPerfect® or Word®, which may be edited as necessary by the judge. The proposed order or other document may be submitted to the judge on a computer diskette, other removable media, or by e-mail to chambers@gud.uscourts.gov.

B. Orders Requiring Additional Signatures

Orders requiring the signatures of one or more parties in addition to that of the judge should be submitted in paper form.

VIII. NOTICE OF ORDERS AND JUDGMENTS

A. Electronic Transmission

Immediately upon the entry of an order or judgment, the clerk will transmit to ECF Users in the case or proceeding a Notice of Electronic Filing through the court's transmission facilities. Electronic transmission of the Notice of Electronic Filing constitutes the notice required by Fed. R. Civ. P. 77(d). The clerk must give notice in paper form to a person who has not consented to electronic service in accordance with the Federal Rules of Civil and Criminal Procedure.

B. Notice by Mail

To the extent required by Fed. R. Civ. P. 5(b), the clerk shall give notice of the entry of an order or judgment by mail to parties who have not consented to notice by electronic transmission.

C. Service of Orders

If the court directs a party to prepare a proposed order or judgment, the drafting party shall serve, as soon as practicable after notification of the entry of the order or judgment, a paper copy of the order on all parties who have not consented to service by electronic transmission. Conformed copies of orders and judgments will be available for collection at the clerk's office. The clerk will mail conformed copies to the drafting party if a stamped, self-addressed envelope is included with the copies of the proposed order or judgment submitted to chambers.

IX. TECHNICAL FAILURES

An ECF User who is unable to effect a filing through the Internet due to a technical failure should document the incident and report the occurrence to the Clerk's Office. An ECF User whose filing is made untimely as the result of a technical failure may seek appropriate relief from the court.

X. PUBLIC ACCESS

A. Internet Access

- 1. Viewing documents** Any person or organization may access the ECF system at <https://ecf.gud.uscourts.gov> by establishing an account with the Public Access to Electronic Records (PACER) Service Center and obtaining a login and password. Registration may be made online at <http://pacer.psc.uscourts.gov> or by calling the PACER Service Center at (800) 676-6856 or (210) 301-6440. Such access will allow only retrieval of docket sheets and documents.

2. **Filing documents** In addition to the ability to retrieve documents at the court's ECF site, ECF Users may file documents with the court over the Internet. ECF Users receiving a Notice of Electronic Filing via e-mail will not be charged for an initial, single retrieval of a filing download, viewing or printing of a document when accessing the document directly through the link in the e-mail notification.

B. Access at Court

During regular business hours (8:00 a.m. to 3:00 p.m.), electronic access to documents is available at the court (4th Floor, U.S. Courthouse, 520 West Soledad Avenue, Hagatna, Guam). There are no fees for the electronic viewing of docket records and documents at the clerk's office. For printing copies of any record or document accessed electronically at a public terminal at the court, there is a fee of 10 cents per page.

C. Conventional Copies; Certified or Exemplified Copies

Conventional and certified/exemplified copies of electronically filed documents may be obtained from the clerk at fees specified in the District Court Miscellaneous Fee Schedule as authorized by 28 U.S.C. § 1914.

D. Electronic Public Access Charges

Charges for electronic access to court records and documents are described in the Electronic Public Access Fee Schedule set by the Judicial Conference, pursuant to 28 U.S.C. § 1914. For public users obtaining information through a federal judiciary Internet site, there is a fee of 8 cents per page, with the total for any document not to exceed the fee for 30 pages (\$2.40). Note that each attachment to a document in a docket entry is a separate document for purposes of this rule.

XI. FILING OF PAPER DOCUMENTS

- A. **Non-ECF Users.** Non-ECF Users may continue to file documents conventionally by submitting paper documents in accordance with the following provisions. Pursuant to the order adopting these procedures, the provisions below shall govern in the event of any conflict with a local rule or general order.
- B. **Conventional Filings.** The following documents shall be filed conventionally in paper form and not electronically unless specifically authorized by the Court:
 - (1) Civil case opening documents, such as the complaint, petition, or notice of removal, together with the summons and civil cover sheet.

- (2) Charging documents in a criminal case, including the complaint, information, indictment, and superseding information or indictment.
- (3) Transcripts.
- (4) Document(s) to be filed under seal. (See p. 7, Section V, Subsection H, above entitled, "Sealed Documents.")
- (5) Handwritten papers or pleadings.

C. Paper Quality

Documents must be printed on white, unglazed, opaque, medium weight (20 lb.) paper capable of producing a good quality image when scanned using the court's equipment and software. Text must not be highlighted.

D Paper Size

All documents, including exhibits, must be on standard letter size (8.5" x 11") paper. The filing party is responsible for reducing larger size documents to the standard letter size and for copying smaller size documents on standard letter size sheets of paper.

E. Assembly

Documents submitted for filing shall be bound only by binder clips or clamps. Documents shall not be bound by staples, prong fasteners, or standard metal or plastic paper clips. Documents may not contain tabs. Exhibits may be marked by noting the exhibit letter or number at the bottom of the first page of the exhibit or by including a separation sheet marked with the exhibit letter or number.

F. Text and Margins

The Local Rules with respect to formatting and margins do not apply to local forms (generally identified by a form ID at the bottom of the document), and any other papers as directed by the court.

G. Length

A document exceeding 40 pages must be separated into 2 or more parts. Multiple parts of a separated document shall be identified, for example, as being "Part 1 of 3," "Part 2 of 3," and "Part 3 of 3." A document should attach only the germane part of an exhibit rather than the entire exhibit, without prejudice to the filing party's right to file a supplemental or complete exhibit, or to a responding party's right to file an alternate or more complete exhibit.

H. Number of Copies

Only the original document and one copy need to be presented for filing, in addition to copies being returned to the filing party (limited to five).

XII. PRIVACY CONCERNS

- A.** In compliance with the policy of the Judicial Conference of the United States, and the E-Government Act of 2002, and in order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents and pleadings filed with the Court, including exhibits thereto, whether filed electronically or by paper, unless otherwise ordered by the Court, or required by statute, or a federal rule of procedure:

1. Social Security numbers. If an individual's social security number must be included in a pleading, only the last four digits of that number should be used (*i.e.*, XXX-XX-6789).

2. Names of minor children. If the involvement of a minor child must be mentioned, only the initials of that child should be used.

3. Dates of birth. If an individual's date of birth must be included in a pleading, only the year should be used.

4. Financial account numbers. If financial account numbers are relevant, only the last four digits of these numbers should be used.

5. Home addresses for criminal cases. If a home address must be included in criminal case documents, only the city and state should be listed.

- B.** In compliance with the E-Government Act of 2002, a party (other than the U.S. Probation Office) wishing to file a document containing the personal data identifiers listed above may:

(1) file an unredacted version of the document in paper form under seal with the Clerk's Office; or

(2) file a reference list in paper form under seal with the Clerk's Office. The reference list shall contain the complete personal data identifiers and the redacted identifiers used in their place in the filing. All references in the case to the redacted identifiers included in the reference list will be construed to refer to the

corresponding complete personal data identifiers. The reference list may be amended as of right.

The document or reference list must contain the following heading: "SEALED DOCUMENT PURSUANT TO E-GOVERNMENT ACT OF 2002." The unredacted version of the document or reference list shall be retained by the Court as part of the record until further order of the Court. The party must also file a redacted copy of the document for the public file.

C. Because of remote electronic availability, caution should be exercised and the necessity to seal considered when filing documents that contain any of the following information:

- (1) any personal identifying number, such as driver's license number;
- (2) medical records, treatment and diagnosis;
- (3) employment history;
- (4) individual financial information;
- (5) proprietary or trade secret information;
- (6) information regarding an individual's cooperation with the government;
- (7) information regarding the victim of any criminal activity;
- (8) national security information; and
- (9) sensitive security information as described in 49 U.S.C. § 114(s).

D. Without a Court order, the following documents shall not be included in the public case file and should not be made available to the public at the courthouse or via remote electronic access:

- (1) unexecuted summonses or warrants of any kind (e.g., search warrants, arrest warrants);
- (2) pretrial bail or presentence investigation reports;
- (3) statements of reasons in the judgment of conviction;
- (4) juvenile records;
- (5) documents containing identifying information about jurors or potential jurors;
- (6) financial affidavits filed in seeking representation pursuant to the Criminal Justice Act;
- (7) ex parte requests for authorization of investigative, expert or other services pursuant to the Criminal Justice Act; and
- (8) sealed documents.

If the Court seals a document after it has already been included in the public file, the Clerk shall restrict viewing of the document from both the electronic and paper files as soon as the order sealing the document is entered.

- E.** The responsibility for redacting personal data identifiers and properly filing documents to be sealed rests solely with counsel and the parties. The Clerk's Office will not review each pleading for compliance with this section.



DISTRICT COURT OF GUAM
Bankruptcy Division

Case Management

CM / ECF

Electronic Case Files

***ADMINISTRATIVE PROCEDURES
FOR THE ELECTRONIC FILING, SIGNING,
VERIFYING AND SERVING OF BANKRUPTCY DOCUMENTS***

April 6, 2007

I. SCOPE OF CM/ECF PROCEDURES

A. Applicability

The provisions of these Administrative Procedures for the filing of documents through the Case Management / Electronic Case Files (“CM/ECF”) system apply in all pending Bankruptcy cases and proceedings in the District Court of Guam. These procedures contain provisions for both the electronic filing of documents through the Internet and the filing of paper documents and their electronic recording and storage by the court.

B. Participation

A person registered as a full or limited participant in the CM/ECF system (“ECF User”) may file documents in accordance with these procedures. Non-ECF Users, including pro se parties, shall continue to file documents conventionally by submitting paper documents to the court.

II. CONSEQUENCES OF ELECTRONIC FILING

A. Effectiveness of Electronically Filed Document

The electronic filing of a document consistent with these procedures, together with the transmission of a Notice of Electronic Filing from the court, constitutes the filing of the document for all purposes of the Federal Rules of Bankruptcy Procedure and Local Rules of this court, and constitutes entry of the document on the docket by the Clerk under Fed. R. Bankr. P. 5003. The official record of all documents is the electronic recording of the document as stored by the court.

B. Time of Filing

Filing a document electronically does not alter the filing deadline for that document. Filing must be completed before midnight Chamorro Standard Time (ChST) in order to be considered timely filed that day. The date and time of filing is that stated on the Notice of Electronic Filing from the court. This time stamp is based on the time of the electronic receipt of the document by the court, not by the time of transmission by the ECF User.

C. Virtual Documents.

Virtual documents are certain documents (including some orders) which are frequently used by trustees and the court and the text of which does not vary from case to case. A virtual document consists entirely of the text contained in the docket entry and is not embodied in any other document or electronic recording. The docket entry for a virtual document shall be fully effective despite the absence of a document or electronic recording apart from the docket entry. Examples of

virtual documents are a trustee's report of no distribution, a trustee's initial report in an asset case, and a final decree closing the case.

III. SIGNATURES

A. Filing Party

1. **Use of login and password.** The use of a login and password assigned to an ECF User in the electronic filing of a document shall constitute the ECF User's signature on the document, for purposes of Fed. R. Bankr. P. 9011, 28 U.S.C. § 1746, the Local Rules of this court, and any other purpose for which a signature is required in connection with matters before the court.
2. **Signature block.** Electronically filed documents must include the name (preceded by "/s/"), address, and telephone number of the ECF User filing the document. (e.g., "/s/ Jane Q. Doe").
3. **Authority to sign.** An ECF User may authorize one or more employees or office staff members to use the ECF User's login and password for the electronic filing of a document. No ECF User or other person may knowingly permit or cause to permit an ECF User's login and password to be used by anyone other than an authorized agent of the ECF User, and all ECF Users shall take reasonable precautions to prevent such unauthorized use. The use of the ECF User's login and password, whether authorized or not, constitutes the ECF User's signature on the document for all purposes, including those under Fed. R. Bankr. P. 9011.
4. **Virtual documents.** The use of the trustee's ECF User's login and password shall constitute the trustee's signature on a virtual document. A virtual document that is a court notice or order entered by the court shall be deemed signed by the individual whose name appears as Judge or Clerk.

B. Party Other than Filing Party

Except for a document requiring the filing of a Declaration re: Electronic Filing as described in section III. C. below, a document requiring the signature of a person other than the filing party must contain an image of the other party's signature. An ECF User may satisfy this requirement by attaching to the document a counterpart signature page containing an image of the other party's signature. Seals may be noted by expressions such as "Legal Seal," "L.S.," "Notary Seal," etc., if the seal is not readily apparent in the scanned image of the document. The electronic filing of a document signed by a person other than the ECF User shall be deemed to include the ECF User's representation to the court that, to the best of the ECF User's knowledge, the document is a true and correct copy of the

original document bearing such other person's signature. The originally executed document(s) shall be maintained by the filer for two (2) years after the final resolution of the action, including final disposition of all appeals. On request of the Court, the Filing User must provide the original document(s) for review.

C. Declaration re: Electronic Filing

1. **Requirement.** The declarations and certifications by a debtor required on the petition, the accompanying schedules and statements, any amendments thereof, and, if a chapter 13 case, the proposed plan, shall be made by filing (in paper form) a Declaration re: Electronic Filing with the original signature of each individual or joint debtor, or the original signature of an authorized individual on behalf of a debtor that is a corporation, partnership or other artificial entity. The use of the ECF User's login and password in the filing of a bankruptcy petition shall be a representation to the court that, at the time of filing, the filing party is in possession of a copy of the petition with the original signature of the debtor(s) or a Declaration re: Electronic Filing with the original signature(s) of the debtor(s).
2. **Time to file.** The Declaration re: Electronic Filing shall be filed not later than 5 business days after the date of the electronic filing of the subject document(s). Failure to file a timely Declaration re: Electronic Filing for the petition may result in dismissal of the case without further notice or a hearing. Failure to file a timely Declaration re: Electronic Filing for documents other than the petition may result in striking such documents from the docket.

IV. ELIGIBILITY, REGISTRATION, TRAINING, PASSWORDS

A. Eligibility

1. **Full participants.** Attorneys admitted to practice before the District Court of Guam, including those admitted *pro hac vice*, United States Trustees and their assistants, trustees in bankruptcy and their assistants, attorneys representing the United States of America, and others as the court deems appropriate, may register as full participant ECF Users.
2. **Limited participants.** The court may designate additional individuals or entities as eligible for registration as limited participant ECF Users. Such ECF Users may be limited to filing electronically certain types of documents, such as proofs of claim, or limited to filing documents in a particular case or proceeding.

B. Registration

1. **Registration form.** Registration as a full or limited ECF User shall be made by using a form prescribed by the clerk. At a minimum, the form will require the registrant's name, address, telephone and fax numbers, e-mail address, and, if the registrant is an attorney, a statement that the attorney has been admitted to practice before this court. The registration form is available at the court's website: www.gud.uscourts.gov. A completed registration form may be delivered in person or by mail to: Clerk, District Court of Guam, 4th Floor, U.S. Courthouse, 520 West Soledad Avenue, Hagatna, Guam 96910.
2. **Registration as consent to receive notice and service electronically.** Submission to the court of a completed and signed registration form by a full participant ECF User shall constitute: (i) consent in writing to receive notice electronically and waiver of any right to receive notice by any other means; and (ii) consent in writing to electronic service, except with regard to service of a summons and complaint under Fed. R. Bankr. P. 7004 and service of a motion in a contested matter under Fed. R. Bankr. P. 9014, and waiver of any right to service by any other means. The waiver includes, without limitation, notice of the entry of an order or judgment under Fed. R. Bankr. P. 9022. The consent and waiver is effective upon activation of the full participant ECF User's login and password in the ECF live database.

C. Training

The court will provide training as necessary to attorneys and other registrants for participation in the CM/ECF system. Training may be a combination of classroom and online computer based training (CBT). Following registration, an ECF User applicant will be issued a login and temporary password limited to use in the CM/ECF training database (<https://ecf-train.gub.uscourts.gov>). The court may require satisfactory completion of a training program as qualification for CM/ECF participation and issuance of a password for use in the "live" database. Training may be modified or waived by the court for a limited ECF User or a full participant ECF User registered as an ECF user in another district.

D. Login and Password

1. **Full activation.** After satisfactory completion of training or waiver thereof, a registrant will receive a password for filing documents in the "live" database (<https://ecf.gub.uscourts.gov>).
2. **Use of login and password.** The login and password assigned to an ECF

User shall be used exclusively by the registered ECF User and any non-attorney employee or staff member explicitly authorized by the ECF User to use the login and password. The ECF User shall not knowingly permit use of the login and password by any person not so authorized, shall take reasonable steps to prevent such unauthorized use, and shall be fully responsible for all use of the login and password whether authorized or unauthorized. If authorization to use a login and password is withdrawn (e.g., when a staff member leaves employment) or if unauthorized use of a login and password is suspected, the ECF User shall forthwith select and activate a new password for use in the ECF system. The ECF User also shall immediately notify the court's Clerk's Office upon learning of any unauthorized use. Failure to change the password and notify the court under the aforementioned circumstances may result in sanctions against the registered ECF user.

3. **Suspension or cancellation by court.** Upon appropriate notice and for cause shown, the court at any time may suspend or cancel an ECF User's use of a login and password. The court may require that additional training be taken in order to reactivate ECF participation.
4. **Withdrawal.** An ECF User may withdraw from ECF participation by giving notice of not less than 30 days to all parties in matters in which the ECF User is a party or represents a party. Such withdrawal will be deemed to be cancellation of the consent to receive notice and service by electronic means, unless otherwise stated in writing by the withdrawing party.

V. ELECTRONIC FILING PROTOCOLS

A. Format

A document, except a creditor mailing matrix, filed electronically must be submitted as a Portable Document Format ("PDF") file. Such files may be created by using Adobe® Acrobat® software or through certain other software for word processing and scanning of documents. In creating the PDF file, the "Document Security" must be the "No Security" default setting in order for the PDF document to be filed in the CM/ECF system.

B. Size of Documents

Document files must be no larger than 2 megabytes (MB) in size, or approximately 40 pages of text in a standard word processing format, converted into a PDF image. A file containing non-text items such as scanned photographs may be considerably larger, requiring adjustment before electronic transmission is attempted. Transmission of a large document as a single file may not be successful due to security constraints on the length of time taken by an electronic

filing. Large-sized documents should be broken down into sections and filed as consecutively numbered attachments.

C. Name of Docket Entry

The ECF User shall select the most appropriate description of the type of document from the docketing event “pick list” presented. The ECF User shall call the Clerk’s Office for assistance if the type of document to be filed does not appear as a selection. The ECF User may add appropriate descriptive text before submitting the final docket text entry.

D. Single Docket Entry

All documents with exhibits and attachments capable of electronic imaging and filing shall be filed together as a single docket entry. Related documents generally signed by the filing individual, such as supporting memoranda, declarations, etc., may be filed separately but, if available for filing at the same time, should be filed as attachments to the underlying document in a single docket entry.

E. Hyperlinks

Electronically filed documents may contain the following types of hyperlinks:

- a. Hyperlinks to other portions of the same document; and
- b. Hyperlinks to a location on the Internet that contains a source document for a citation.

Hyperlinks to other documents filed within the CM/ECF system are not permitted. Hyperlinks to cited authority may not replace standard citation format. Complete citations must be included in the text of the filed document. Neither a hyperlink, nor any site to which it refers, shall be considered part of the record.

F. Correcting Docket Entries

1. **No Changes After Submittal.** Once a document is submitted and becomes part of the case docket, corrections to the docket are made only by the Clerk’s Office. The system will not permit the filing party to make changes to the document(s) or docket entry filed in error once the transaction has been accepted.
2. **No Refiling of Incorrect Entries.** A document incorrectly filed in a case may be the result of posting the wrong .pdf file to a docket entry, selecting the wrong document type from the menu, or entering the wrong case number and not catching the error before the transaction is completed. The filing party should not attempt to refile the document.

3. **Contacting the Clerk's Office.** As soon as possible after an error is discovered, the filing party should contact the Clerk's Office with the case number and document number for which the correction is being requested. If appropriate, the court will make an entry indicating that the document was filed in error. The filing party will be advised if the document needs to be filed again.

G. Attachments and Exhibits

1. **Identification of attachments.** Each attachment to a document must be concisely but adequately identified in additional text. E.g.: Declaration of *Jane Doe in Support of Motion*. A large document being broken down to 2 or more smaller sized attachments should clearly identify the sections. E.g.: *Memorandum in Support - Part 1; Memorandum in Support - Part 2*, etc. Documents related to a motion or other pleading which are not available for attachment to the main document may be filed later as a separate document. E.g.: Declaration of *Jane Doe* (relating it to the underlying motion or other pleading).
2. **Compound documents.** As an alternative to attaching separate documents to a main document, a series of related documents may be filed together as a single PDF file, subject to the 2 MB size restriction of the file. E.g.: *Motion with Memorandum in Support and Declaration of Luke Lender*.
3. **Relevant excerpts only.** An exhibit to an electronic filing shall include only excerpts of the referenced document that are directly germane to the matter under consideration by the court. Excerpted material must be clearly and prominently identified as such. A party filing excerpts of a document under this provision does so without prejudice to the right to file timely additional excerpts or the complete document. A responding party may file timely additional excerpts or the complete document that the party believes to be directly germane to the subject matter.

H. Proofs of Claim

1. **Supporting documents.** Only documents that are necessary to show the basis for the amount of the claim and the basis for any secured claim or perfected security interest should be filed as attachments to a proof of claim. Thus, a creditor should file a summary of invoices rather than copies of the invoices themselves. A summary or excerpt should be clearly and prominently identified as such. A creditor filing a summary or excerpt does so without prejudice to the right to file additional supporting documents or complete exhibits.

2. **Claims filed by debtor or trustee.** A debtor's attorney or a trustee electronically filing a proof of claim on behalf of a creditor under Fed. R. Bankr. P. 3004 shall be responsible to give the notice of the filing to the creditor, debtor and trustee as required by Rule 3004. A form of notice is available from the clerk's office.

I. Mailing Matrix

The creditor mailing matrix to accompany an electronically filed bankruptcy petition shall be formatted according to the CM/ECF Style Guide issued by the Clerk of Court. The matrix shall be prepared as a .txt file and uploaded immediately after the petition is filed. An amended matrix shall also be prepared as a text file (.txt) for uploading, containing only the names and addresses being added to the matrix.

J. Sealed Documents

A motion to file one or more documents under seal shall be filed conventionally in paper form. Until the court has ruled on any motion to seal, no document that is the subject of a motion to seal, nor the motion itself or any response thereto, will be available electronically or in paper form.

K. Emergency Motions

An emergency motion or other matter requiring expedited attention by the court, such as an application for a temporary restraining order or a motion for a protective order, may be filed electronically in the same manner as other documents. The moving party shall contact the Clerk's Office by telephone at (671) 473-9100 to alert the court to the filing and the emergency nature of the motion.

L. Verification of Document Image

An ECF User shall verify, by checking the link in the Electronic Notice of Filing or by reviewing the docket within 2 business days after the electronic filing, that the image of the document filed is a correct and complete copy of the document intended to be filed. An ECF User shall immediately notify the court of the discovery of an incorrect or incomplete image of a document.

M. Anti-Virus Software

Each ECF User shall utilize updated anti-virus software at all locations from which Internet ECF access is made. The filing party must check all electronic files submitted on disk or transmitted by e-mail to the clerk's office or a judge's chambers for viruses and worms.

VI. PAYMENT OF FILING FEES

A. Payment Over the Counter

Fees due for the electronic filing of documents through the Internet shall be paid at the Clerk's Office counter by 3:00pm Chamorro Standard Time (ChST) the following business day, or the filing will be subject to dismissal.

B. Deferral / Waiver of Fees

An ECF User who believes that the fee for a particular event may be deferred or waived by the court shall file a separate request for such deferral or waiver at the time of filing the document requiring a fee.

VII. SERVICE OF DOCUMENTS BY ELECTRONIC MEANS

A. Consent to Electronic Service

An entity which is not a registered ECF User may consent in writing to electronic service of all documents, except a summons and copy of a complaint and a motion in a contested matter, through the CM/ECF system by completing a court-approved consent form available at the court's website. The consent shall apply in all cases in which the consenting entity is a party. Pursuant to Fed. R. Bankr. P. 9006(f), the three additional days allowed for responding to service by mail shall also apply to electronic service. The entity may withdraw the consent to electronic service by giving notice of not less than 30 days to all parties in matters in which the entity is a party.

B. Notice of Electronic Filing

Electronic transmission of the Notice of Electronic Filing through the court's transmission facilities constitutes service or notice of the filed document to those parties who have consented in writing to accept such service or notice. A paper copy of the Notice of Electronic Filing, together with a paper copy of the electronically filed document, shall be served in accordance with the Federal Rules of Bankruptcy Procedure and the Local Rules, upon parties not deemed to have consented in writing to electronic service or notice.

VIII. SUBMISSION OF PROPOSED ORDERS

A. Orders Requiring Judge's Signature Only

Orders requiring only the judge's signature may be submitted in electronic form, in a standard word processing format, such as WordPerfect® or Word®, which may be edited as necessary by the judge. The proposed order or other document

may be submitted to the judge on a computer diskette or by e-mail to chambers@gud.uscourts.gov.

B. Orders Requiring Additional Signatures

Orders requiring the signatures of one or more parties in addition to that of the judge should be submitted in paper form.

IX. NOTICE OF ORDERS AND JUDGMENTS

A. Electronic Transmission

Immediately upon the entry of an order or judgment, the clerk will transmit to ECF Users in the case or proceeding a Notice of Electronic Filing through the court's transmission facilities. Electronic transmission of the Notice of Electronic Filing constitutes the notice required by Fed. R. Bankr. P. 9022. The Clerk must give notice in paper form to a person who has not consented to electronic service in accordance with the Federal Rules of Bankruptcy Procedure.

B. Notice by Mail

To the extent required by Fed. R. Bankr. P. 9022, the clerk shall give notice of the entry of an order or judgment by mail to parties who have not consented to notice by electronic transmission.

C. Service of Orders

If the court directs a party to prepare a proposed order or judgment, the drafting party shall serve, as soon as practicable after notification of the entry of the order or judgment, a paper copy of the order on all contesting parties who have not consented to service by electronic transmission. Conformed copies of orders and judgments will be available for collection at the clerk's office. The clerk will mail conformed copies to the drafting party if a stamped, addressed envelope is included with the copies of the proposed order or judgment submitted to chambers.

X. TECHNICAL FAILURES

An ECF User who is unable to effect a filing through the Internet due to a technical failure should document the incident and report the occurrence to the Clerk's Office. An ECF User whose filing is made untimely as the result of a technical failure may seek appropriate relief from the court.

XI. PUBLIC ACCESS

A. Internet Access

1. **Viewing documents** Any person or organization may access the ECF system at <https://ecf.gub.uscourts.gov> by establishing an account with the Public Access to Electronic Records (PACER) Service Center and obtaining a login and password. Registration may be made online at <http://pacer.psc.uscourts.gov> or by calling the PACER Service Center at (800) 676-6856 or (210) 301-6440. Such access will allow only retrieval of docket sheets and documents.
2. **Filing documents** In addition to the ability to retrieve documents at the court's ECF site, ECF Users may file documents with the court over the Internet. ECF Users receiving a Notice of Electronic Filing via e-mail will not be charged for an initial, single retrieval of a filing download, viewing or printing of a document when accessing the document directly through the link in the e-mail notification.

B. Access at Court

During regular business hours (8:00 a.m. to 3:00 p.m.), electronic access to documents is available at the court (4th Floor, U.S. Courthouse, 520 West Soledad Avenue, Hagatna, Guam). There are no fees for the electronic viewing of docket records and documents at the clerk's office. For printing copies of any record or document accessed electronically at a public terminal at the court, there is a fee of 10 cents per page.

C. Conventional Copies; Certified or Exemplified Copies

Conventional and certified/exemplified copies of electronically filed documents may be obtained from the clerk at fees specified in the Bankruptcy Court Miscellaneous Fee Schedule as authorized by 28 U.S.C. § 1930.

D. Electronic Public Access Charges

Charges for electronic access to court records and documents are described in the Electronic Public Access Fee Schedule set by the Judicial Conference, pursuant to 28 U.S.C. § 1930. For public users obtaining information through a federal judiciary Internet site, there is a fee of 8 cents per page, with the total for any document not to exceed the fee for 30 pages (\$2.40). Note that each attachment to a document in a docket entry is a separate document for purposes of this rule.

XII. FILING OF PAPER DOCUMENTS

A. Non-ECF Users

Non-ECF Users may continue to file documents conventionally by submitting paper documents in accordance with the following provisions. Pursuant to the order adopting these procedures, the provisions below shall govern in the event of any conflict with a local rule or general order.

B. Conventional Filings

The following documents shall be filed conventionally in paper form and not electronically unless specifically authorized by the Court:

- (1) Transcripts.
- (2) Document(s) to be filed under seal. (See p. 7, Section V, Subsection H, above entitled, "Sealed Documents.")
- (3) Handwritten papers or pleadings.

C. Paper Quality

Documents must be printed on white, unglazed, opaque, medium weight (20 lb.) paper capable of producing a good quality image when scanned using the court's equipment and software. Text must not be highlighted.

D. Paper Size

All documents, including exhibits, must be on standard letter size (8.5" x 11") paper. The filing party is responsible for reducing larger size documents to the standard letter size and for copying smaller size documents on standard letter size sheets of paper.

E. Assembly

Documents submitted for filing shall be bound only by binder clips or clamps. Documents shall not be bound by staples, prong fasteners or standard metal or plastic paper clips. Documents may not contain tabs. Exhibits may be marked by noting the exhibit letter or number at the bottom of the first page of the exhibit or by including a separation sheet marked with the exhibit letter or number.

F. Text and Margins

The Local Rules with respect to formatting and margins do not apply to Official and Procedural Bankruptcy Forms, local forms (generally identified by a form ID at the bottom of the document), and any other papers as directed by the court.

G. Length

A document exceeding 40 pages must be separated into 2 or more parts. Multiple parts of a separated document shall be identified, for example, as being "Part 1 of 3," "Part 2 of 3", and "Part 3 of 3." A document should attach only the germane part of an exhibit rather than the entire exhibit, without prejudice to the filing party's right to file a supplemental or complete exhibit, or to a responding party's right to file an alternate or more complete exhibit.

H. Number of Copies

Only the original document and one copy need to be presented for filing, in addition to copies being returned to the filing party (limited to five).

I. Mailing Matrix

Only a debtor not represented by an attorney and who did not receive assistance from a bankruptcy petition preparer may file a creditor mailing matrix on paper. Otherwise, the mailing matrix to be filed with the bankruptcy petition shall be submitted on a virus-checked computer diskette as an ASCII Text (*.txt) file. Whether submitted on paper or on 3.5" computer diskette, the matrix shall be formatted according to the CM/ECF Style Guide issued by the clerk.

XIII. PRIVACY CONCERNS

- A.** In compliance with the policy of the Judicial Conference of the United States, and the E-Government Act of 2002, and in order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents and pleadings filed with the Court, including exhibits thereto, whether filed electronically or by paper, unless otherwise ordered by the Court, or required by statute, a federal rule of procedure, or the Official Bankruptcy Forms:

(1) Social Security numbers. If an individual's social security number must be included in a pleading, only the last four digits of that number should be used (*i.e.*, XXX-XX-6789). However, in bankruptcy cases, the debtor(s) shall submit a Statement of Social Security Number(s) (Form B21) at the time the petition is filed. If the bankruptcy petition is filed electronically, the Form B21 must be submitted in paper form to the Clerk's Office no later than one business day after the petition was filed. The debtor(s) must report the full nine-digit Social Security number(s) of the debtor(s) in this document to be submitted in paper form— not filed — with the Clerk's Office. This document will be used for internal purposes only and will not be part of the public record. Failure to timely submit Form B21 may result in the dismissal of the case.

(2) Names of minor children. If the involvement of a minor child must be mentioned, only the initials of that child should be used. In bankruptcy cases, on Schedule I of Official Bankruptcy Form 6, list the relationship and the age of the debtor's dependent(s) (*i.e.*, son, age 6).

(3) Dates of birth. If an individual's date of birth must be included in a pleading, only the year should be used. In bankruptcy cases, on Schedule I of Official Bankruptcy Form 6, list the age of each of the debtor's dependents.

(4) Financial account numbers. If financial account numbers are relevant, only the last four digits of these numbers should be used. In bankruptcy cases, on Schedules D, E, and F of Official Bankruptcy Form 6, debtors, if they choose, may include their full account numbers to assist the trustee and creditors.

B. In compliance with the E-Government Act of 2002, a party (other than the U.S. Probation Office) wishing to file a document containing the personal data identifiers listed above may:

(1) file an unredacted version of the document in paper form under seal with the Clerk's Office; or

(2) file a reference list in paper form under seal with the Clerk's Office. The reference list shall contain the complete personal data identifiers and the redacted identifiers used in their place in the filing. All references in the case to the redacted identifiers included in the reference list will be construed to refer to the corresponding complete personal data identifiers. The reference list may be amended as of right.

The document or reference list must contain the following heading: "SEALED DOCUMENT PURSUANT TO E-GOVERNMENT ACT OF 2002." The unredacted version of the document or reference list shall be retained by the Court as part of the record until further order of the Court. The party must also file a redacted copy of the document for the public file.

- C.** Because of remote electronic availability, caution should be exercised and the necessity to seal considered when filing documents that contain any of the following information:

 - (1) any personal identifying number, such as driver's license number;
 - (2) medical records, treatment and diagnosis;
 - (3) employment history;
 - (4) individual financial information;
 - (5) proprietary or trade secret information;
- D.** If the Court seals a document after it has already been included in the public file, the Clerk shall restrict viewing of the document from both the electronic and paper files as soon as the order sealing the document is entered.
- E.** The responsibility for redacting personal data identifiers and properly filing documents to be sealed rests solely with counsel and the parties. The Clerk's Office will not review each pleading for compliance with this section.